

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re	:	Chapter 7
BOAZ BAGBAG,	:	Case No. 08-12667 (MEW)
	:	
	Debtor.	
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SUMMA CAPITAL CORP.,	:	
	:	
	Plaintiff,	
v.	:	Adv. Pro. No. 20-1185 (MEW)
	:	
BOAZ BAGBAG,	:	
	:	
	Defendant.	
	:	

ORDER RECLOSING ADVERSARY PROCEEDING

This adversary proceeding was commenced in June 2020 to renew a judgement that had been entered by this Court in 2010. After the renewed judgment was entered, the adversary proceeding was closed. However, during the course of addressing certain post-judgment discovery issues raised by the parties, the Court reopened this adversary proceeding.

In response to the issues raised in the post-judgment discovery dispute, the Court entered an order regarding subject matter jurisdiction and directing compliance with discovery in stages. After an additional dispute that arose, the Court entered a temporary restraining order and scheduled a hearing for a preliminary injunction. The hearing on the preliminary injunction was subsequently adjourned on the request and by the consent of the parties.

Thereafter, the parties entered into a forbearance agreement concerning the judgment that had been entered in favor of Summa Capital Corp., the judgement creditor, and against Mr. Bagbag. The parties have since confirmed their agreement to the withdrawal of a related state-

court proceeding, the dismissal of an appeal filed by Mr. Bagbag from this Court's order concerning subject matter jurisdiction, the withdrawal (without prejudice) of Summa Capital's motion for injunctive relief, the suspension of Summa Capital's judgment collection efforts and the closure of adversary proceeding 20-1185 without prejudice.

Based upon the foregoing, it is hereby

ORDERED, that all pending applications and motions in adversary proceeding 20-1185 are deemed to have been withdrawn, without prejudice; and it is further
ORDERED, that adversary proceeding no. 20-1185 be reclosed, without prejudice.

Dated: New York, New York
July 21, 2021

/s/ Michael E. Wiles
UNITED STATES BANKRUPTCY JUDGE